

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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PREMALAL RANASINGHE and  
PALIHAWADANAGE RAMYA CHANDRALA  
FERNANDO,

Plaintiffs,

- against -

NOT FOR PUBLICATION  
**MEMORANDUM & ORDER**  
13-cv-4111 (CBA) (CLP)

GREAT WEST CASUALTY COMPANY,  
JOSEPH J. POPOLIZIO, PHILLIP H. STANFIELD  
and JONES, SKELTON & HOCHULI P.L.C.,

Defendants.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAR 19 2014

BROOKLYN OFFICE

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**AMON, Chief United States District Judge:**

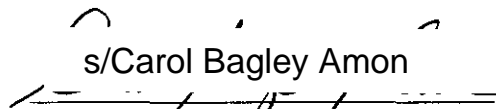
On November 21, 2013, defendant Great West Casualty Company ("Great West") and defendants Joseph J. Popolizio, Esq. ("Popolizio"), Phillip H. Stanfield, Esq. ("Stanfield"), and Jones, Skelton & Hochuli, P.L.C. (collectively, the "Attorney Defendants") filed separate motions to dismiss the complaint. On January 21, 2014, this Court issued an Order granting the Attorney Defendants' motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(2) for lack of personal jurisdiction. (D.E. # 28.) The Order also granted in part and denied in part Great West's motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim. Lastly, the Order provided that if plaintiffs refiled claims against the Attorney Defendants in the United States District Court for the District of Arizona, this Court would transfer the remaining claim in this action to that District. See, e.g., APA Excelsior III L.P. v. Premiere Techs., Inc., 49 F. Supp. 2d 664, 668 (S.D.N.Y. 1999) ("It is well established that the existence of a related action pending in the transferee court weighs heavily towards transfer.")

Plaintiffs' counsel has submitted a letter indicating that plaintiffs have filed an action against the Attorney Defendants in the District of Arizona. See Ranasinghe v. Popolizio, No.

CV-14-00369-PHX-ROS (D. Ariz. 2014). Accordingly, the Clerk of Court is directed to transfer this action to the United States District Court for the District of Arizona.

SO ORDERED.

Dated: March 18, 2014  
Brooklyn, N.Y.

  
s/Carol Bagley Amon  
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Carol Bagley Amon  
Chief United States District Judge